IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MS JUSTICE G.ROHINI**

**WRIT PETITION NO : 424 of 2005**

Between:

K. Krishna chaitanya S/o Venkata Narsa Raju
R/o Alkapuram, Pittalavnipalem Mandal, Guntur District presently R/o Hyderabad

**..... PETITIONER**

AND

1 The Collector & District Magistrate, Guntur, Guntur District
2 The Revenue Divisional Officer, Tenali, Guntur District

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any Writ or direction or Order more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in issuing the notice U/s 9 (3) and 10 of the land Acquisition Act dated 6-12-2004 as illegal, arbitrary, capricious, against the provisions of Land Acquisition act and against to the principles of natural justice and consequently direct the respondents not to acquire the lands of the petitioner situated in S. No.s 164/4, 163/8c and 164/6 of P.V. Palem Village and Madnal, Guntur District and to pass such order or orders.

**Counsel for the Petitioner : MR. KRISHNA MOHAN SIKHARAM**

**Counsel for the Respondents : GP FOR LAND ACQUISITION**

**The Court at the stage of admission made the following :**

**THE HON'BLE MS. JUSTICE G.ROHINI**

**WRIT PETITION NO.424 OF 2005**

**ORAL ORDER :**

This writ petition is filed seeking a declaration that the action of the respondents in issuing Notice under Sections 9(3) and 10 of The Land Acquisition Act, 1894 (for short, 'the Act'), dated 06-12-2004 as arbitrary and illegal.

As can be seen from the material on record, a notification under Section 4(1) of the Act was issued on 4-11-2004 invoking the urgency clause. The petitioner states that subsequently a notice under Sections 9(3) and 10 of the Act was issued in the name of his father as pattedar of the lands and directing him to submit objections, if any. The only objection raised by him is that the extents in each survey numbers have not been clearly mentioned and the name of his father was also wrongly shown.

The learned Government Pleader for Land Acquisition under instructions

states that as a matter of fact in pursuance of the impugned notice under Sections 9(3) and 10 of the Act, the petitioner has participated in the award enquiry on 27-12-2004 and his statement was also recorded by the Land Acquisition Officer. He also states that the petitioner never filed any objections. Since the petitioner had ample opportunity to raise the objections, with regard to the extents of the lands in question, no case is made out warranting interference of this Court at this stage.

Accordingly, the Writ Petition is disposed of. No costs.

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21st February, 2005.

gbs

To

1 The Collector & District Magistrate, Guntur, Guntur District
2 The Revenue Divisional Officer, Tenali, Guntur District

**3. Two CCs to G.P. for Land Acquisition, High Court of AP Bldgs, Hyderabad (OUT).**

4. 2 CD copies